

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

RECEIVED

KYLE BENGSTON,

PLAINTIFF,

v.

JOHN BAZEMORE, O.D., and  
VISION WORLD, INC.,

DEFENDANTS.

2006 JUL 24 P 4:19

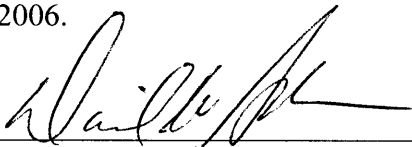
DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

3:06-cv-00569-SRW

**MOTION TO DISMISS**

**COMES NOW** Plaintiff Kyle Bengston and hereby moves this Court dismiss Vision World, Inc. as a party Defendant in this matter, with prejudice. In support of this motion, Plaintiff would state that Defendant Bazemore was not an employee of Defendant Vision World, Inc, at the relevant time period of the complaint.

Respectfully submitted this 21 day of July, 2006.



David W. Adams  
Attorney for Plaintiff  
The Newman Law Firm  
AL Bar ID: ASB-4582-S46D  
Park Plaza-- Suite 150  
178 South Main Street  
Alpharetta, Georgia 30004  
678-205-8000

# Certificate of Service

I hereby certify that I serve the following on all interested parties by U.S. mail.

A handwritten signature in black ink, appearing to read "Chris Sheppard", written over a horizontal line.

Chris Sheppard  
Attorney for Vision World, Inc.,  
PO Box 36988  
Birmingham, AL 35236-6988